IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.68 OF 2006

L.A.Manjiramani Petitioner

versus

State of Maharashtra & ors. Respondents

Shri Vijay Kantharia i/by J.B.Mishra for petitioner.

Shri Rajiv Mane, AGP for respondents 1 to 4.

CORAM : KSHITIJ R. VYAS, C.J. &
S.C.DHARMADHIKARI, J.

DATE : 28th February 2006

PC :

1. The petitioner - a retired Additional Registrar in the office of Lokayakuta and Up-Lokayakuta, State of Maharashtra in this petition under Article 226 of the Constitution of India challenges letters/directions dated 26th August 2005, 29th August 2005, 10th November 2005, 28th November 2005, 29th December 2005 and 5th January 2006 whereby the respondents have sought to evict the petitioner from the Government Quarters.

2. These letters, according to the petitioner, are illegal and arbitrary and issued without following due process of law. According to the petitioner, petitioner is not liable to be evicted without restoring the petitioner's ownership premises in habitable condition and giving possession thereof.

3. We have heard learned counsel appearing for the parties at length. We are not inclined to grant the reliefs as prayed for in the petition on the simple ground that the petitioner has no vested right to continue the occupation of the Government Premises after retirement.

4. Shri Kantharia appearing for petitioner instead of inviting a reasoned order, has assured to vacate the premises presently occupied by him, provided, he be given additional time to vacate the premises.

5. After considering the facts and circumstances of the case, the petitioner is permitted to occupy the premises presently occupied by him for a period of six months from today on usual terms and conditions on his filing an undertaking

before this Court within two weeks from today. In the event of failure of petitioner to vacate the premises after six months, the respondents are at liberty to get the premises vacated by using force. Petition stands disposed of accordingly.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI, J.)